

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KULDEEP SINGH,

No. 2:23-cv-00297-AC

Plaintiff,

ORDER

v.

UR M. JADDOU, et al.,

Defendants.

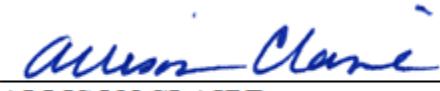
This case was filed on February 17, 2023, ECF No. 1, and has been assigned to the Magistrate Judge under the court's automated case assignment plan. See Local Rules, Appendix A, subsection (m). Pursuant to the Local Rule and the Civil Case Documents issued in this case (ECF No. 3) the parties are required to return the "CONSENT / DECLINE OF U.S. MAGISTRATE JUDGE JURISDICTION" form to the Clerk within 90 days from the date the action was filed, or within 14 days of removal from state court. ECF No. 3 at 2. Plaintiff did not timely file a consent/decline form and the undersigned issued an order to show cause. ECF No. 4. Plaintiff did not respond.

Additionally, Federal Rule of Civil Procedure 4(m) states that "if a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time." The scheduling order in this case stated that "[w]ithin 10 days

1 after service of process on a given defendant, plaintiff(s) shall file a certificate stating that the
2 defendant was served under Rule 4.1" ECF No. 3 at 2. Plaintiff did not file any notice of service
3 with the court, and the deadline to do so has expired. It appears to the undersigned that plaintiff
4 has abandoned this case.

5 Good cause appearing, IT IS HEREBY ORDERED that plaintiff shall show cause, in
6 writing, within 14 days, why the failure to comply with the Federal Rules, Local Rules, and
7 orders of this court should not result in a recommendation that this case be dismissed for failure to
8 prosecute. If plaintiff fails to respond or if the response is inadequate, the court will recommend
9 dismissal of this case pursuant to Local Civil Rule 110.

10 DATED: June 26, 2023

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12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE

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